

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not yet assigned  
Group Art Unit : 1642  
Applicants : Bruce D. Cohen et al.  
Application No. : 10/038,591 Confirmation No.: 1445  
Filed : January 4, 2002  
For : ANTIBODIES TO INSULIN-LIKE GROWTH FACTOR I  
RECEPTOR

New York, New York  
October 4, 2002

Hon. Commissioner for Patents  
Washington, DC 20231

TRANSMITTAL LETTER

RECEIVED  
OCT 15 2002  
LICENSING & REVIEW

Sir:

Transmitted herewith: [X] Response to Requirement for Statement under § 152 of the Atomic Energy Act; [X] copy of Requirement for Statement under § 152 of the Atomic Energy Act; [X] Statement to Department of Energy (6 statements, 18 pages); to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[ ] A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	* =	X \$ 18 =	\$
INDEPENDENT CLAIMS	-	** =	X \$ 84 =	\$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$280 =	\$

\* If less than 20, insert 20.

\*\* If less than 3, insert 3.

TOTAL \$       

- ☐ A check in the amount of \$\_\_\_ in payment of the filing fee is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- ☐ Please charge \$\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

#### EXTENSION FEE

- ☐ The following extension is applicable to the Response filed herewith; ☐ \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$400.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$920.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,440.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$1,960.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

- ☐ A check in the amount of ☐ \$110.00; ☐ \$400.00; ☐ \$920.00; ☐ \$1,440.00; ☐ \$1,960.00 in payment of the extension fee is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- ☐ Please charge the ☐ \$110.00; ☐ \$400.00; ☐ \$920.00; ☐ \$1,440.00; ☐ \$1,960.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Karen E. Brown  
James F. Haley (Reg. No. 27,794)  
Attorney for Applicants  
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Claire A. Saintil  
[Signature]  
Signature of Person Signing

Att: Lounsing & Penew

MPD  
10/9/02

#88  
HMH/32  
ABX-PF2  
11/7/02

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Washington, D.C. 20231

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RESPONSE TO REQUIREMENT FOR STATEMENT  
UNDER § 152 OF THE ATOMIC ENERGY ACT

Sir:

This is in response to a September 6, 2002 Requirement for Statement Under § 152 of the Atomic Energy Act (hereafter "Requirement"), a copy of which is enclosed. A response is due October 5, 2002. Thus, this response is timely filed.

REMARKS

The Requirement states that the applicants must file a statement within 30 days setting forth the full facts surrounding the making or conception of the invention described in the application and whether the invention or discovery was made or conceived

in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Energy Research and Development Administration or the Department of Energy as required under section 152 of the Atomic Energy Act of 1954, 42 U.S.C. § 2182. To satisfy the requirement, applicants enclose a Statement to Department of Energy signed by the inventors setting forth these facts.

The Director is authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this response is enclosed.

Respectfully submitted,

Karen E. Brown

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Patent  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/038,591	01/04/02	COHEN, ET AL.	ABX-PF2 US
EXAMINER			

FISH & NEAVE  
1251 AVENUE OF THE AMERICAS  
50<sup>TH</sup> FLOOR  
NEW YORK, NY 10020-1105

ART UNIT	PAPER NO.
	7

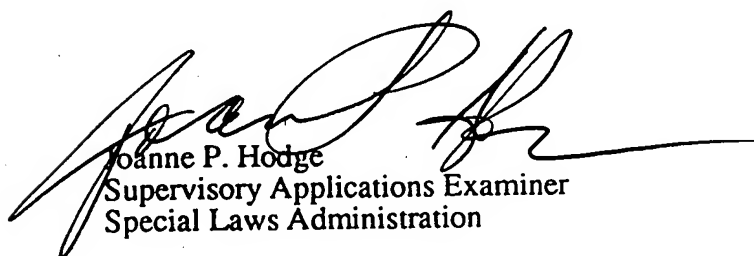
DATE MAILED: - 6 SEP 2002

**REQUIREMENT FOR STATEMENT UNDER §152 OF THE ATOMIC ENERGY ACT**

The subject matter of this application is considered "useful in the production or utilization of special nuclear material or atomic energy."

No patent for any invention "useful in the production or utilization of special nuclear material or atomic energy" may issue unless the applicant files a statement **WITHIN THIRTY DAYS** from request thereof by the Commissioner of Patents & Trademarks setting forth the full facts surrounding the making or conception of the invention described in the application and whether the invention or discovery was made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Energy Research and Development Administration or the Department of Energy as required under section 152 of the Atomic Energy Act of 1954, 42 USC §2182.

Applicant is hereby given a period of **THIRTY DAYS** from the mailing date of this letter to file the required statement under 42 USC §2182. Failure to submit the required statement within the thirty day period will result in **ABANDONMENT** of the application. The thirty day period is fixed by §2182 of the Act and cannot be extended. Thus, no extension of this period may be obtained under either 37 CFR §1.136(a) or (b).

  
Joanne P. Hodge  
Supervisory Applications Examiner  
Special Laws Administration

**RECEIVED**

SEP 13 2002

FISH & NEAVE - PATENT DEPT.  
REFERRED TO 10/5/02  
NOTED BY CB

DOCKETED FOR 10/5/02

Please direct all written communications regarding this matter to:  
**The Commissioner of Patents & Trademarks**  
Washington, D.C. 20231  
Attention: Licensing & Review  
Please direct all telephone calls regarding this matter to:  
James Samuels, (703) 305-0239